

REMARKS

Claims 1-25 are pending in the application. It is gratefully acknowledged that Claim 1 has been allowed. It is also gratefully acknowledged that Claims 6-8, 12-14 and 18 have been objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form to include all of the limitations of the base claim and any intervening claims. The Examiner has objected to the Specification based on informalities. The Examiner objected to the drawings for not labeling Figure 3 "Prior Art". The Examiner rejected Claims 21-24 under 35 U.S.C. §112, second paragraph, as being indefinite. The Examiner has rejected Claims 2, 3, 9, 10 and 16 under 35 U.S.C. §102(e) as being anticipated by Kanterakis et al. (U.S. Publication 2004/0057397 A1). The Examiner has rejected Claims 4, 5 and 15 under 35 U.S.C. §103(a) as being unpatentable over Kanterakis et al. in view of Applicants' admitted prior art. The Examiner has rejected Claim 11 under 35 U.S.C. §103(a) as being unpatentable over Kanterakis et al. The Examiner has rejected Claims 17, 19-21 and 23-25 under 35 U.S.C. §103(a) as being unpatentable over Kanterakis et al. in view of Lee et al. (U.S. Patent 6,674,739).

Regarding the objection to the Specification based on informalities, the Examiner states that the "Priority" section is improper and should be removed. The Examiner is respectfully directed to M.P.E.P. §201.13(a) II G Incorporation by Reference, which states:

"Applicant may incorporate by reference the foreign priority application **by including a statement in the U.S. application-as-filed** that such specifically enumerated foreign priority application is "hereby incorporated by reference." The statement may appear in the transmittal letter. The inclusion of the incorporation by reference of the foreign priority application will permit an applicant to amend the U.S. application to include any subject in the foreign priority application without raising the issue of new matter. Thus the incorporation by reference statement can be relied upon to permit the entering of a portion of the foreign priority application into the U.S. application when a portion of the foreign priority application has been inadvertently omitted from the U.S. application, or to permit the correction of translation error in the U.S. application where the foreign priority application is in a non-English language." (Emphasis added.)

Based on at least the foregoing, withdrawal of the objection of the Specification is respectfully requested.

Regarding the objection to Fig. 3 not being labeled "Prior Art", as Fig. 3 shows the conventional control message format, Fig. 3 has been labeled "Prior Art". Amended Fig. 3 is attached hereto. Based on at least the foregoing, withdrawal of the objection to the drawings is respectfully requested.

Regarding the rejection of Claims 21-24 under 35 U.S.C. §112, second paragraph, as being indefinite, the Examiner states that there are three (3) antecedent basis problems, namely, that Claim 21 recites "the designated channel number" in line 13, that Claim 22 recites "the next slot" in line 3, and that Claim 23 recites "the designated channel number" in line 2. Claim 21 has been amended to change "the designated channel number" to read "a designated channel number", and Claim 22 has been amended to change "the next slot" to recite "a next slot". Regarding Claim 23, Applicants respectfully submit that the antecedent basis for "the designated channel number" is supplied in Claim 21. Based on at least the foregoing amendments, and remarks withdrawal of the rejections of Claims 21-24 is respectfully requested.

Turning now to the rejections of the claims, the Examiner has rejected Claims 2, 3, 9, 10 and 16 under 35 U.S.C. §102(e) as being anticipated by Kanterakis et al. (U.S. Publication 2004/0057397 A1), of which Claims 2, 9 and 16 are in independent form. Kanterakis et al. discloses a common packet channel. Referring to paragraphs 44 and 55 in Kanterakis et al., it is clear that Kanterakis et al. merely discloses a parameter message including information for transmitting an access probe or an access-burst signal from a mobile station to a base station. However, the parameter message recited in the claims of the present application specifically include preamble length information and slot length information having a length of a multiple of integer of a specific slot length. Further, in Kanterakis et al., the mobile station uses a part of a frame timing comprised of a plurality of slots when transmitting the access-burst signal, Kanterakis et al. does **not** disclose that feature recited in the claims of the present application that a base station transmits the parameter message by including the preamble length information for searching a start time of a message received from the mobile station. In addition, the Examiner asserts that a controller of the present invention is disclosed in elements 316 and 319 of Fig. 3 and an access-burst timing of Fig. 5 in Kanterakis et al. However, in Kanterakis et al., it can only

be shown that the base station detects a preamble portion from a spread-spectrum signal received from a preamble processor (316). The claims of the present application recite that a start time for examining whether an access probe is received is each start time point of slots based on a second slot duration, and at this start time, the controller examines whether a preamble signal and the access probe are received, an element that is not disclosed by Kanterakis et al. Based on at least the foregoing, withdrawal of the rejections of Claims 2, 3, 9, 10, and 16 is respectfully requested.

Specifically, regarding the rejection of Claim 2, this claim specifically recites “an access parameter message including preamble duration information and information about a second slot duration having a length of a multiple of a given first slot duration” and “a controller for examining whether an access probe including a preamble signal having the preamble duration and a succeeding access message is received, beginning at each start time point of slots based on the second slot duration”. Although Kanterakis et al. might disclose that parameters are transmitted from a base station, the base station disclosed by Kanterakis et al. does not transmit an access parameter message that includes “preamble duration information and information about a second slot duration having a length of a multiple of a given first slot duration” as recited in Claim 2. Further, although Kanterakis et al. might disclose a controller and that an access burst is transmitted, this is not a controller as recited in Claim 2 that examines whether “an access probe including a preamble signal having the preamble duration and a succeeding access message is received”, and further whether the access probe, as recited in Claim 2, is received “beginning at each start time point of slots based on the second slot duration”. Also, the second slot duration has a length of a multiple of a given first slot duration, an element that is not taught or disclosed by Kanterakis et al. Based on at least the foregoing, withdrawal of the rejection of Claim 2 is respectfully requested.

Specifically, regarding the rejection of Claim 9, this claim specifically recites “an access parameter message including preamble duration information and information about a second slot duration having a length of a multiple of a given first slot duration” and “an access probe including a preamble signal having the preamble duration and a succeeding access message to a base station over a reverse common channel beginning at one of a plurality of start time points of

the slots having the second slot duration”. As each of these elements recited in Claim 9 are similar to those elements recited in Claim 2, arguments similar to those supplied with respect to Claim 2 apply to Claim 9, and based on at least the foregoing, withdrawal of the rejection of Claim 9 is respectfully requested.

Specifically, regarding the rejection of Claim 16, this claim recites “an access parameter message including preamble duration information and information about a second slot duration having a length of a multiple of a given first slot duration”, “an access probe including a preamble signal having the preamble duration and a succeeding access message at one of the start time points of slots based on the second slot duration”, and “transmitting the access probe beginning at one of the start time points of the slots based on the second slot duration”. As each of these elements recited in Claim 16 are similar to those elements recited in Claim 2, arguments similar to those supplied with respect to Claim 2 apply to Claim 16, and based on at least the foregoing, withdrawal of the rejection of Claim 16 is respectfully requested.

The Examiner has rejected Claims 17, 19-21 and 23-25 under 35 U.S.C. §103(a) as being unpatentable over Kanterakis et al. in view of Lee et al. (U.S. Patent 6,674,739), of which Claims 17, 21 and 25 are in independent form. It is respectfully submitted that Lee et al. is assigned to Samsung Electronics Co., Ltd., and as the claims of the present application and the subject matter of Lee et al. were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person, the Lee et al. reference does not qualify as prior art. Based on at least the foregoing, withdrawal of the rejections of Claims 17, 19-21 and 23-25 is respectfully requested.

Independent Claims 2, 9, 16, 17, 21 and 25 are believed to be in condition for allowance. Without conceding the patentability per se of dependent Claims 3-8, 10-15, 18-20 and 22-24, these are likewise believed to be allowable by virtue of their dependence on their respective amended independent claims. Accordingly, reconsideration and withdrawal of the rejections of dependent Claims 3-8, 10-15, 18-20 and 22-24 is respectfully requested.

Accordingly, all of the claims pending in the Application, namely, Claims 1-25, are believed to be in condition for allowance. Should the Examiner believe that a telephone conference or personal interview would facilitate resolution of any remaining matters, the Examiner may contact Applicant's attorney at the number given below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Paul J. Farrell", written over the typed name.

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